

NOV 13 2008

PTO/SB/21 (1-08)

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FORM

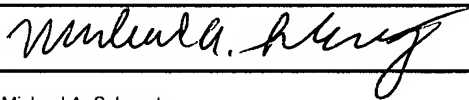
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	42	Application Number	10/629,386
		Filing Date	July 29, 2003
		First Named Inventor	Yassin Aden Awad
		Art Unit	6529
		Examiner Name	Michael T. Vu
		Attorney Docket Number	5243-042-US01

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449 References (4) including Japanese Official Communication with English Translation
<div style="border: 1px solid black; padding: 5px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Hanify & King Professional Corporation		
Signature			
Printed Name	Michael A. Schwartz		
Date	November 13, 2008	Reg. No.	40,161

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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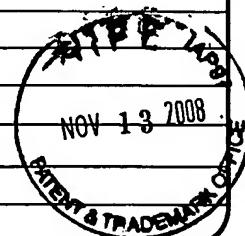
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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2009**Complete if Known**

Application Number	10/629,386
Filing Date	July 29, 2003
First Named Inventor	Yassin Aden Awad
Examiner Name	Michael T. Vu
Art Unit	6529
Attorney Docket No.	5243-042-US01

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$180.00

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 50-4545 Deposit Account Name: Hanify & King, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195
Total Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Fee (\$)	Fee Paid (\$)
_____ - 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Fee for filing IDS after final action

Fees Paid (\$)

\$180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	40,161	Telephone	(202) 403-2100
Name (Print/Type)	Michael A. Schwartz	Date	November 13, 2008		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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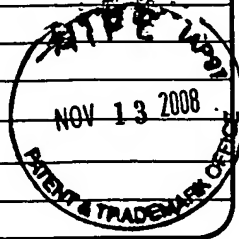
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Examiner Name	Michael T. Vu
Art Unit	6529
Attorney Docket No.	5243-042-US01



TOTAL AMOUNT OF PAYMENT (\$) \$180.00

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☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 50-4545 Deposit Account Name: Hanify & King, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Fee for filing IDS after final action**Fees Paid (\$)**

\$180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 40,161	Telephone (202) 403-2100
Name (Print/Type)	Michael A. Schwartz		Date November 13, 2008

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Yassin Aden Awad

Attorney Docket No: 5243-042-US01

Application No.: 10/629,386

Group Art Unit: 6529

Filed: July 29, 2003

Examiner: Michael T. Vu

For: Adaptive Modulation and Coding

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to Applicant's duty of disclosure under 37 CFR § § 1.97 and 1.98, enclosed is a Form PTO-1449 for the Examiner's review and consideration.

In accordance with 37 CFR § 1.97(e), it is certified that the references in this Information Disclosure Statement were cited from a Japanese Official Action dated September 30, 2008 in the corresponding Japanese Application No. JP2003-282158 not more than three months prior to the filing of this Information Disclosure Statement. A copy of the Japanese Official Communication along with an English translation is attached.

Applicants respectfully request that the listed reference be considered by the Examiner and made of record in the above-identified application by the Examiner's completion and return of the Form PTO-1449.

A fee of 180.00 is believed to be due at this time. Should any additional fees be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 50-4545, Order No. 5243-042-US01.

Respectfully submitted,

Hanify & King, P.C.

Dated: November 13, 2008

By: *Michael A. Schwartz*

Michael A. Schwartz, Registration No. 40,161

Hanify & King, P.C.

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